

## **REMARKS/ARGUMENTS**

Claims 1, 3-12 and 14-24 are in the application. Claims 2, 13 and 25-37 have been cancelled. No claim is allowed.

Claim 36 is rejected under 35 USC 112, 2d paragraph. This rejection is now moot.

Claims 1, 3, 4, 7-9, 13, 15, 18-20, 24 and 35-37 are rejected under 35 USC 102(e) as anticipated by Massey et al (US 2004/0248652, "Massey"). It is presumed that it is the examiner's intention to include claim 14 since that claim is discussed in the text of this rejection and is not rejected elsewhere. Reconsideration and withdrawal of this rejection are respectfully requested. The former claims 13 and 35 have been incorporated into claim 1. Similar language has been incorporated into claim 14. While former claims 13 and 35 were rejected over Massey, it is submitted that Massey does not teach the features of those claims. In Massey's Fig. 3, there are not shown a plurality of winning players of the tournament. There is shown some information on the current player (his current prize fund, etc.). His opponent has not yet been named. The box **140** is shown only for encouragement, but those names are not winners of the tournament. In fact, they are examples of players who have won their *game* played today. They have not won the tournament, nor do they have they the right yet to collect their indicated prize fund. In fact Sid actually *lost* his previous game. See Fig. 4. Hence Massey does support the proposition for which it is relied upon in the last paragraph of page 4 of the Office Action. Similarly, paragraph [0061] of Massey does not show that Fig. 5 is determining the winner of the tournament and the winning payout to the winner of the tournament. Fig. 5 shows only the amount for which the two players are competing (each can add something to his/her prize fund, in this case, even if s/he loses this game). It is impossible to determine if either will be the tournament winner from this game result. Accordingly, Massey fails to teach the features that have been added to independent claims 1 and 14. Withdrawal of the rejection is therefore requested.

Claims 5 and 16 are rejected under 35 USC 103(a) as being unpatentable over Massey in view of Okamoto, of record. This rejection is respectfully traversed. The reliance on Okamoto to show confirmation of the loading of game software does not

remedy the deficiencies of Massey discussed above. Accordingly, it is submitted that claims 5 and 16 are unobvious over Massey in view of Okamoto and withdrawal of the rejection is requested.

Claims 6 and 17 are rejected under 35 USC 103(a) as being unpatentable over Massey in view of Schneier, of record. This rejection is respectfully traversed. The reliance on Schneier to show authentication of the loaded game software does not remedy the deficiencies of Massey discussed above. Accordingly, it is submitted that claims 6 and 17 are unobvious over Massey in view of Schneier and withdrawal of the rejection is requested.

Claims 10 and 21 are rejected under 35 USC 103(a) as being unpatentable over Massey in view of Morrow, of record. This rejection is respectfully traversed. The reliance on Morrow to show gaming software comprising a pay table does not remedy the deficiencies of Massey discussed above. Accordingly, it is submitted that claims 10 and 21 are unobvious over Massey in view of Morrow and withdrawal of the rejection is requested.

Claims 11, 12, 22 and 23 are rejected under 35 USC 103(a) as being unpatentable over Massey in view of Halliburton, of record. This rejection is respectfully traversed. The reliance on Halliburton to show gaming software comprising a plurality of randomly or pseudo-randomly generated seeds for a random number generator to be used by a gaming unit does not remedy the deficiencies of Massey discussed above. Accordingly, it is submitted that claims 11, 12, 22 and 23 are unobvious over Massey in view of Halliburton and withdrawal of the rejection is requested.

Based on the foregoing, it is submitted that the claims are patentable over the cited art of record. Additional limitations recited in the independent claims or the dependent claims are not further discussed because the limitations discussed above are sufficient to distinguish the claimed invention from the cited art. Accordingly, applicant submits that all pending claims are allowable and respectfully requests issuance of a Notice of Allowance for this application.

Applicant hereby petitions for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this amendment is to be charged to

Deposit Account No. 504480 (Order No. IGT1P279). Should the examiner believe that a telephone conference would expedite the prosecution of this application the undersigned may be reached at the telephone number set out below.

Respectfully submitted,  
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